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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/938,274

08/23/2001

Robert G. Schwartz

770P009577-US (C01)

1934

2512

7590

10/31/2006

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

DIXON, THOMAS A

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/938,274

Applicant(s)

SCHWARTZ ET AL.

Examiner

Thomas A. Dixon

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,107-112,184-186 and 189-191 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,107-112,184-187 and 189-191 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

Continuation of Disposition of Claims: Claims withdrawn from consideration are 8-25,82-85,87-92,95-106,113-118,120-129, 187 and 192-201.

DETAILED ACTION

1. Applicant's election of group 1 without traverse in response of 7/28/06 is noted.
2. The new title is acceptable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-7, 107, 109-112 and 185-186 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone et al (4,725,718) in view of Peach et al (5,085,470).

As per Claims 1, 107 and 184.

Sansone et al ('718) discloses:

a memory for storing a first data representative of a value of postage funds, see column 3, lines 19-21;

an interface, operably connected to the memory, for receiving selected information concerning a mail piece content and information concerning a value of the postage, the value of the postage funds being a value of the postage, the value of the postage funds being a function of the value of the postage, see figures 1 (20) and 5A (80-84);

a processor operably connected to the memory and the interface for receiving selected information, for encrypting at least the selected information to generate second data, the first data and the second data being provide to a mail processor for creation of an indicium indicative of payment of the postage and the mail piece content, see figures 1 (20) and 5B (108-110);

wherein the mail processor generates control instructions to a printer for printing the indicium in the selected location on the mail piece content such that the indicium is exposed through a window, the window being on a cover for enclosing the mail piece content, see figure 2 and column 4, lines 33-40;

wherein a financial transaction based on the indicium is conducted when the mail piece is processed by a mail piece carrier, see column 2, lines 5-8.

Sansone et al ('718) does not specifically disclose a financial transaction involving a recipient of the mail piece.

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Peach et al ('470) teaches a financial transaction involving a recipient of the mail piece, see figure 6 for the benefit of moving money safely through the mail.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a financial transaction involving a recipient of the mail piece for the benefit of moving money safely through the mail.

As per Claims 3, 109.

Sansone et al ('718) further discloses an encryption algorithm, see column 4, lines 2-9.

As per Claims 4, 110.

Sansone et al ('718) further discloses the encryption algorithm RSA, see column 4, lines 2-9

As per Claims 6.

Sansone et al ('718) further discloses an ascending register for tracking dispensed postage, the memory includes information for determining past postage dispensation, see column 3, lines 21-28.

As per Claims 7, 112.

Sansone et al ('718) further discloses the value of the postage funds is changed in response to a request to purchase postage, see column 3, lines 21-28 and 42-52.

As per Claims 185.

Sansone et al ('718) further discloses controlling access to the system, see column 3, lines 42-56.

As per Claims 186.

Sansone et al ('718) further discloses the selected information includes address information, the method further comprising the step of checking address information on the mailpiece, see column 2, lines 30-47.

4. Claims 2, 5, 108, 111, 189-191 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone et al (4,725,718) in view of Peach et al (5,085,470) further in view of Pintsov (5,586,036).

As per Claims 2, 108, 191.

Sansone et al ('718) does not specifically disclose digital signatures.

Pintsov ('718) teaches digital signatures, see column 6, line 63 – column 7, line 23 for the benefit of origin authentication, data integrity and signer non-repudiation.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use digital signatures with Sansone et al ('718) for the benefit of origin authentication, data integrity and signer non-repudiation.

As per Claims 5, 111.

Sansone et al ('718) does not specifically disclose digital signatures.

Pintsov ('718) teaches a digital signature algorithm, see column 7, line 3 for the benefit of origin authentication, data integrity and signer non-repudiation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use digital signatures with Sansone et al ('718) for the benefit of origin authentication, data integrity and signer non-repudiation.

As per Claims 189.

Sansone et al ('718) does not specifically disclose the communication step includes the step of communicating with a certification authority other than the selected recipient to verify receipt by the selected recipient of the information.

Pintsov ('718) teaches a communication with a certification authority, see figure 5 (515) and column 7, line 3 for the benefit of origin authentication, data integrity and signer non-repudiation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a certifying authority with Sansone et al ('718) for the benefit of origin authentication, data integrity and signer non-repudiation.

As per Claims 190.

Sansone et al ('718) does not specifically disclose the communication step includes the step of communicating with a certification authority other than the selected recipient to verify access by the selected recipient of the information.

Pintsov ('718) teaches a communication with a certification authority, see figure 5 (515) and column 7, line 3 for the benefit of origin authentication, data integrity and signer non-repudiation.

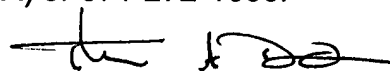
Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a certifying authority with Sansone et al ('718) for the benefit of origin authentication, data integrity and signer non-repudiation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thomas A. Dixon
Primary Examiner
Art Unit 3628

October 06